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PERMANENT SOVEREIGNTY OVER NATIONAL RESOURCES IN THE OCCUPIED PALESTINIAN AND OTHER ARAB TERRITORIES

Economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the Syrian Golan

Note by the Secretary-General

In its resolution 1993/52 of 29 July 1993, entitled "Economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the occupied Syrian Golan", the Economic and Social Council requested the Secretary-General to submit to the General Assembly at its forty-ninth session, through the Council, a report on the implementation of the resolution. The General Assembly, in its resolution 48/212 of 21 December 1993, repeated that request. The Secretary-General has the honour to submit to the members of the Assembly and the Council the annexed report, which was prepared by the Economic and Social Commission for Western Asia (ESCWA).

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* A/49/50/Rev.1.

ANNEX

Economic and social consequences of the establishment of settlements by Israel in the Palestinian territory, including Jerusalem, occupied since 1967, and the Syrian Golan

Report prepared by the Economic and Social Commission for Western Asia

1. The establishment of Israeli settlements in the Palestinian and other Arab territories occupied since 1967 has been the subject of various resolutions of the Security Council and the General Assembly. In its resolution 446 (1979) of 22 March 1979, the Security Council determined that the Israeli policy and practice of establishing settlements in those territories had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. That position was reaffirmed unanimously in Security Council resolution 465 (1980) of 1 March 1980, in the preamble of which the Council took into account the need to consider measures for the impartial protection of private and public land and property, and water resources, and affirmed the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ to the Arab territories occupied by Israel since 1967, including Jerusalem. In 1980, the International Labour Conference also expressed concern regarding the establishment of settlements and called for an end to that policy, as well as the dismantling of existing settlements.

2. At its forty-eighth session, in 1993, the General Assembly, taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/48/96, A/48/278 and A/48/557), adopted resolution 48/41 of 10 December 1993, in which it strongly condemned the continued and persistent violation by Israel of the Geneva Convention and reaffirmed that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967 were illegal and an obstacle to peace.

3. The General Assembly, in its resolution 48/212 of 21 December 1993, took note of the report of the Secretary-General on the economic and social consequences of the establishment of settlements by Israel in the Palestinian territory, including Jerusalem, occupied since 1967, and the Syrian Golan (A/48/188-E/1993/78); recognized the economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory occupied by Israel since 1967, including Jerusalem, and on the Arab population of the Syrian Golan; reaffirmed the inalienable right of the Palestinian people and the population of the Syrian Golan to their natural and all other economic resources, and regarded any infringement thereof as being illegal; and requested the Secretary-General to submit to the Assembly at its forty-ninth session, through the Economic and Social Council, a report on the progress made in the implementation of the resolution. The present report is submitted in response to that resolution.

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4. Shortly after the Six Day War in 1967, Israel established the first settlement in the Syrian Golan. Since that time, that policy has been developed more or less intensively and has accelerated since the beginning of 1990. 2/ Financial and tax incentives offered by the Government encourage settlers to make their homes in the occupied Arab territories.

5. The signature on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization of the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560, annex) is the most important political event that has characterized Israeli-Palestinian relations during the past year. The Declaration states in its article I that the aim of the Israeli-Palestinian negotiations is "to establish a Palestinian Interim Self-Government Authority, the elected Council ... for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973)". The issue of settlements, in this Declaration, was deferred to the permanent status negotiations phase, which should start not later than the beginning of the third year of the interim period.

6. The massacre of Palestinians in the Ibrahimi Mosque in Hebron on 25 February 1994 gave the issue of settlements new importance and made it necessary to find remedial actions in order at least to alleviate the dangers threatening the security of the Arab residents, especially in view of the fact that Israeli settlers are generally well-armed. The Security Council, in its resolution 904 (1994) of 18 March 1994, strongly condemned the massacre in Hebron and its aftermath, which took the lives of more than 50 Palestinian civilians and injured several hundred others; and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians throughout the occupied territory, including, inter alia, a temporary international or foreign presence, which was provided for in the Declaration of Principles, within the context of the ongoing peace process.

7. In July 1992, Israeli Prime Minister Yitzhak Rabin announced that his Government would change Israeli national priorities by focusing on the absorption of Jewish immigrants and curtailing the building of settlements in the West Bank and Gaza Strip, but not East Jerusalem. A distinction was made between political settlements and security settlements, of which the former would no longer be supported by the Government. During a debate in the Israeli Knesset, Mr. Rabin elaborated on this distinction by declaring that future settlement policy would not affect Greater Jerusalem or the borders with Jordan and the Syrian Arab Republic.

8. Statistics from the field during the second quarter of 1993 show that the Rabin Government remained committed to the construction of 11,000 publicly financed dwellings in the West Bank (excluding East Jerusalem) and Gaza and another 13,000 in East Jerusalem, in addition to 1,200 to 1,500 units undertaken by the private sector. 3/

9. The United States Administration, which had earlier approved the Israeli request for US$ 10 billion in loan guarantees, in annual instalments of $2 billion from 1993 to 1997, was obliged to decrease its loan for 1994 by $437 million in order to deduct the amount the Administration calculated the

Israelis had spent on settlements in the occupied territories for fiscal year 1993. 4/ The United States Administration was obliged to add $6 million to the budget presented by the Government of Israel to provide for the amount Israel spent on East Jerusalem settlements. 5/

10. The expansion of Israeli settlement activities in the occupied Arab territories has continued despite the drop in Jewish immigration from Eastern Europe. It is well known that only 456,220 Soviet Jews arrived in Israel from 1990 to 1993, 6/ far below the 1 million immigrants estimated by Israel for the period from 1990 to 1994. Recent studies estimate that only around 530,000 Soviet Jews will be arriving in Israel during that period, and another 204,000 to 275,000 between 1994 and 1999. 7/

11. Construction continued although there were considerable numbers of unsold apartments in the settlements of the West Bank and Gaza. It is estimated that some 44,000 completed apartments remained unsold during 1993. The Rabin Government may be obliged to purchase those apartments nationwide at an estimated cost of $1.1 billion. 8/

12. Settling in East Jerusalem is of special importance. It is to be noted, firstly, that the Knesset on 30 July 1980 passed the "Jerusalem Law", reaffirming the 1967 de facto annexation and declaring the "complete and united Jerusalem" the capital of Israel. 9/ Secondly, there is the continuing expansion of the municipal borders of "Greater Jerusalem", covering both the east and west sides of the city. The term "Greater Jerusalem" has come to include a much larger area of the West Bank than it did two decades ago. Explains a former member of the Jerusalem City Council: "The area from Ramallah in the north to Bethlehem in the south, Maaleh Adumim in the east, and Mevasseret [an Israeli suburb of Jerusalem] in the west is one metropolitan area". 10/

13. Both the Likud and Labour parties consider "United Jerusalem" to be the capital of Israel. The newly elected mayor of Jerusalem, Mr. Ehud Olmert, has declared his intention to administer Jerusalem on the understanding that the city is under Israeli rule and sovereignty. Though he cannot decide on the political future of the city (that is the responsibility of the Government), he "can make things happen on the ground, like building along the old border and creating continuity of Jewish settlement in East Jerusalem". 11/ Commenting on these practices, Mr. Haidar Abdel Shafi, the former head of the Palestinian delegation to the Washington peace talks, warned against this policy of *fait accompli*, which undermines the future establishment of a Palestinian State: "In two or three years it might be too late to set up a Palestinian State because of the policy of continued settlement building around Jerusalem". 12/

14. Two sets of statistics are particularly important for the demography of East Jerusalem. The first shows the continuous settling of new immigrants in that part of the city, where it is estimated that, during the period from 1990 to 1994, around 4 per cent of all immigrants arriving in Israel will have settled. Table 1 shows immigration to Israel by area of residence.

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Table 1. Immigration to Israel

Year	National	Jerusalem	East Jerusalem
1990	199 578	13 418	7 700
1991	156 168	11 835	6 813
1992	81 483	7 131	3 335

Source: Foundation for Middle East Peace, Report on Israeli Settlement in the Occupied Territories, Washington, D.C., May 1993, p. 5.

15. The second set of statistics shows the increasing presence of Israeli settlers, whose number in 1993 almost matched the Arab majority in East Jerusalem for the first time. Table 2 shows the population of the east and west parts of Jerusalem in 1967, 1990 and 1993.

Table 2. Population of Jerusalem, 1967-1993 a/

	1967	1990	1993
Israelis	196 400	379 000	400 000
Palestinians (Israeli estimates)	70 000	146 000	155 000 b/
Total population	266 000	525 000	555 000
Israelis in East Jerusalem	-	120 000	160 000

Source: Foundation for Middle East Peace, Report on Israeli Settlement in the Occupied Territories, Washington, D.C., September 1993, p. 6.

a/ Includes East Jerusalem, annexed in 1967.

b/ This figure rises to 180,000 when the 25,000 Palestinians lacking Jerusalem identity documents are accounted for.

16. In 1993, there were some 300,000 Israeli settlers in the occupied Arab territories distributed as follows: 160,000 in East Jerusalem; 120,000 in the rest of the West Bank; 4,500 in the Gaza Strip; and 12,000 in the Golan Heights. This represents a growth of at least 20,000 in the number of settlers in East Jerusalem, while the number in the Gaza Strip and the rest of the West Bank remained constant. For the Golan Heights, the figures indicate a slight reduction in the settler population (see A/48/188-E/1993/78, p. 3). The

settlers were distributed among 211 settlements, with an average of 1,405 settlers per settlement. The small number of settlers per settlement in the Gaza Strip (281) and the Golan Heights (333) is in contrast with the "populated" settlements in East Jerusalem (17,778). Finally, it should be noted that settlers formed less than 15 per cent of the total population in the occupied territories, varying from a low of 0.5 per cent in Gaza to 12 per cent in the West Bank and 88.9 per cent in East Jerusalem. Table 3 shows the number of settlers and settlements by geographical region.

Table 3. Number of settlers and settlements by geographical region

	West Bank (excluding East Jerusalem)	East Jerusalem	West Bank (subtotal)	Gaza	Golan Heights	Total
Israeli settlements	150	9	159	16	36	211
Israeli settlers	120 000	160 000	280 000	4 500	12 000	296 500
Average (settlers/ settlement)	800	17 778	1 761	281	333	1 405
Arab population	1 000 000	180 000	1 180 000	830 000	15 000	2 015 000
Percentage of settlers/ total population	12.0	88.9	23.7	0.5	80.0	14.7

Source: Based on information in the Report on Israeli Settlement in the Occupied Territories, Foundation for Middle East Peace, Washington, D.C., November 1993, p. 5.

17. In the Syrian Golan, the first Israeli settlement, Merom Golan, was established on 15 July 1967. The Golan had been depopulated by the 1967 war. Only 15,000 inhabitants in the region's north-east corner remained from a pre-war population of 130,000. The occupation authorities have enacted a series of laws, decrees and regulations on the basis of which the Israeli military authorities have seized 80 per cent of the total area of the occupied Syrian Golan and have built 36 settlements, in addition to numerous military and paramilitary settlements, the construction of which was not enclosed.

18. Contrary to the expectations that arose following the start of the peace process and the signing of the Declaration of Principles in Washington, D.C., on 13 September 1993, Israel has continued its practices of land confiscation for the purpose of expanding the settlements and construction of roads to connect those settlements. The long-term curfews imposed on various areas of the occupied Arab territories in order to prevent clashes between Palestinians and Israeli settlers have greatly affected the agricultural sector. Fishing has also been affected by the Israeli settlements and by the curfews imposed on the Gaza Strip. The establishment of seaside settlements in the Gaza Strip has reduced the area used for fishing since fishing opposite or near the settlements is not allowed. 13/

19. Under the excuse of "security requirements", Israeli authorities have engaged in the unprecedented practice of uprooting fruit trees (especially olive trees), thereby depriving farmers of their main source of income and forcing them to leave their land. The same practice is followed in the occupied Syrian Golan, where Israelis also uproot fruit-tree seedlings planted by Arab farmers. The excuse given by Israel is that permits to plant the seedlings were not obtained from Israeli authorities.

20. During the period from 13 September to 31 December 1993 (i.e. the three and a half months following the signing of the Palestinian-Israeli Declaration of Principles in Washington, D.C.), the following cases were reported: 14/

(a) Over 46,000 dunums of land were confiscated in the West Bank, mostly along the Green Line and around Jerusalem, of which 2,800 dunums were devoted to expansion of settlements;

(b) A total of 5,540 fruit trees, mostly olive trees, were uprooted;

(c) Eight new roads were constructed on Palestinian land for the purpose of connecting Israeli settlements;

(d) Over 5,000 dunums were confiscated for the purpose of establishing a parking lot, a garbage dump, a stone mill and a water tank to serve the Israeli settlements in the occupied Palestinian territories, and 5,520 dunums were confiscated for the establishment of two private investment projects for settlers in the Hebron area;

(e) Eight new nature reserves in the West Bank were initiated as a first step towards closing the land to Palestinians.

21. Along with land confiscation, water continues to be one of the most sensitive issues affecting the economic and social development of the people in the occupied Arab territories. A series of military orders has been issued by the Israeli military governors in the occupied West Bank, the Gaza Strip and the Syrian Golan. Those orders have established rules and regulations for the extraction, consumption, sale and distribution of water, control of water use, water-sharing and rationing, construction of water installations, drilling of wells, granting of permits and all matters regarding water resources, whether groundwater or surface water, including springs, ponds, streams and rivers, as well as the setting of prices and allowable quantities for use by Arab inhabitants and farmers in the occupied territories. Those orders have made it easier for Israeli authorities and settlers to seize and utilize water in the occupied territories. 15/

22. As a result, the water resources in the occupied Arab territories are utilized mainly in favour of the occupying Power. Two thirds of Israeli water supplies are derived from the West Bank and Gaza Strip. Moreover, severe restrictions have been imposed on the population in the Palestinian territories occupied since 1967. 16/ In the West Bank, not only is Israel exploiting water for its own population in Israel and in the West Bank, it is also limiting the Palestinians' increase in water use to 20 per cent beyond the amount used in 1967. Furthermore, that water is strictly for personal use, not for

agricultural or economic development. Maintaining such a status has hampered economic development in the occupied Arab territories.

23. The amount of water transferred from the West Bank and the Gaza Strip to Israel and its settlements in the occupied West Bank and the Gaza Strip (from groundwater through artesian wells and from the Jordan River) is estimated at 515 to 530 million cubic metres per year out of a total West Bank water supply of about 700 million cubic metres annually. The annual water consumption of Israeli settlers in the occupied Arab territories is estimated at 1,760 million cubic metres, while 230 million are consumed by the Palestinians in the occupied Palestinian territories. 17/ The combination of the water distribution policy and overpumping in some areas has severely strained the availability of Palestinian water resources and their ability to meet their growing needs. In the Gaza Strip, increased salinity due to sea-water intrusion has occurred as a result of Israel's excessive use of water for the settlements.

24. The security situation of Arab residents in the occupied Arab territories is tenuous at best. The massacre at the Ibrahimi Mosque in Hebron in February 1994 was a manifestation of the serious threat constituted by the Israeli settlements and especially the settlers, who are generally well-armed. The fact that settlements have been established in the heart of Arab cities aggravates the security situation of the Arab residents. The Security Council, recognizing the importance and gravity of the situation, called for a temporary international or foreign presence in Hebron.

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973.

2/ Clyde Mark, "Soviet Jewish Emigration", CRS Issue Brief, Congressional Research Service, Library of Congress, Washington, D.C., 1994.

3/ Foundation for Middle East Peace, Report on Israeli Settlement in the Occupied Territories, Washington, D.C., May 1993, p. 3.

4/ Larry Q. Nowels and Clyde Mark, "Israel's Request for U.S. Loan Guarantees", CRS Issue Brief, Congressional Research Service, Library of Congress, Washington, D.C., 1994, p. 1.

5/ Foundation for Middle East Peace, Report on Israeli Settlement in the Occupied Territories, Washington, D.C., January 1994, p. 5.

6/ Clyde Mark, 1994, "Soviet Jewish Emigration", CRS Issue Brief, Congressional Research Service, Library of Congress, Washington, D.C., p. 14.

7/ George Kossaifi, Soviet Jewish Migration: Some Basic Issues, Institute of Palestine Studies, p. 48 (forthcoming); Brym, Robert J., "The Emigration Potential of Jews in the Former Soviet Union", in East European Jewish Affairs, vol. 23, No. 2, Winter 1993, p. 23.

8/ Foundation for Middle East Peace, Report on Israeli Settlement in the Occupied Territories, Washington, D.C., May 1993, p. 3.

9/ Ibid., February 1994, p. 1.

10/ Ibid., p. 3.

11/ Ibid., March 1994, p. 3.

12/ Ibid., February 1994, p. 3.

13/ The present report was written before the implementation agreement was signed at Cairo on 4 May 1994 (see A/49/180-S/1994/727), which provides for fishing rights for Palestinians along the Gaza coast.

14/ Palestine Human Rights Information Centre; Land Research Committee; Palestine Geographic Research Information Centre and Society of St. Yves (joint statement), "Land Confiscation and Settlement Building Accelerate after Israel-PLO Agreement on Declaration of Principles", Jerusalem, 24 January 1994.

15/ Department of the Affairs of the Occupied Homeland, Israeli Designs on West Bank Water, Study No. 1, Amman, Ibn Rushd Publishers and Distributors, 1987, pp. 16-31 (in Arabic).

16/ Miriam Lowi, "Water and Power: the Politics of a Scarce Resource in the Jordan River Basin", Cambridge University Press, Cambridge, Massachusetts, United States of America, 1993.

17/ United Nations, Economic and Social Commission for Western Asia, Rehabilitation of the Agricultural Sector in the Occupied Palestinian Territories (E/ESCWA/AGR/1993/9).